3 (3)

BEFORE THE M.P. STATE ADMINISTRATIVE TRIBUNAL BENCH RAIPUR

O.A. NO._____/2002 WP(S)/4846/03

APPLICANT : Pushkar Lal Shrivastava
Son of Shri B.D.L. Shrivastava
Asstt. Teacher
Primary School, Aamgaon
Gram & Post Sahaspur Lohara
Distt. Kawardha

VERSUS

NON-APPLICANT :

1. State of Chhattisgarh
through the Secretary
Department of School Education
D.K.S. Bhavan
Raipur (C.G.)

2. The Commissioner
School Education
Govt. of Chhattisgarh
D.K.S. Bhavan, Raipur (C.G.)

3. District Education Officer
Distt. Kawardha

4. Principal
Govt. Middle School
Sahaspurlohara
Distt. Kawardha

ORIGINAL APPLICATION UNDER SECTION 19 OF THE M.P. STATE ADMINISTRATIVE TRIBUNAL ACT, 1985

1. Particulars of the Applicant :

(23)

HIGH COURT OF CHHATTISGARH AT BILASPUR
W.P.(S)No. 4846 of 2005

Petitioner : Pushkar Lal Shrivastava

Versus

Respondents : State of Chhattisgarh & others

Single Bench: Hon'ble Mr. Justice Satish K. Agnihotri.

Shri Manish Sharma, Advocate for the Petitioner.
Shri V.V.S. Moorthy, Dy. Advocate General with Smt. Anju Ahuja, Dy. Govt. Advocate for the respondents/State.

ORDER

(11th October, 2006)

1. Learned counsel appearing for the petitioner submits that while working as Assistant Teacher, the petitioner has gone on training to improve his qualifications on his own expenses and acquired B. Ed. Examination Certificate on 9.9.1993 from Barkatullah University, Bhopal (Annexure A/2).

2. According to learned counsel for the petitioner, the petitioner is entitled to two advance increments in view of the decision of this Court in the case of Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another {2006 (II) MPJR-CG 96}. This Court in the case of Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another (Supra), came to the conclusion that the teachers, who had obtained B. Ed.

(24)

Examination Certificate on his own expenses, are covered by the circular dated 24.12.98 (Annexure A/4) issued by the State Government of Madhya Pradesh.

3. Learned counsel for the petitioner further submits that the facts and question of law involved in the present case is squarely covered by decision of this Court in the case of Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another (Supra), to which learned counsel appearing for the respondents fairly concedes and agrees with the averment made by learned counsel appearing for the petitioner.

4. Accordingly, the writ petition is allowed in terms of the order passed in the case of Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another (Supra), subject to verification of the fact as to whether the petitioner has acquired B. Ed. Examination Certificate on his own expenses or not. No order as to costs.

Sd/-
Satish K. Agnihotri
Judge

Subhash